

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

16-cv-07244-EMC

SIQUEIROS v. GENERAL MOTORS, LLC
TRIAL SHEET, EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFFS' ATTORNEY:	DEFENSE ATTORNEYS:
Edward M. Chen	Clay Barnett, John Tangren, Adam Levitt, Daniel Ferri, Rebecca Gilliland, Christopher Stombaugh, Mark Abramowitz, Mitch Williams, Dylan Martin	April Ross, Renee Smith, Richard Godfrey, Rachel Raphael, Caitlyn Cheleden
TRIAL DATE:	REPORTERS:	CLERK:
September 19, 2022	Ruth Ekhaus/ Ana Dub	Vicky Ayala

PLF NO.	DEF NO	TIME OFFERED	ID	ADM	DESCRIPTION
		7:40 a.m.			<p>Court in session. Housekeeping matters discussed outside the presence of the jury. The Court took up GM's objections to Plaintiffs' demonstrative materials for its opening statement for which the Court had reserved judgment. <i>See</i> Docket Nos. 526–27. Plaintiffs told the Court that it had withdrawn all slides for which the Court had reserved judgment. <i>See</i> Docket No. 526-1. The Court overruled GM's objection to Physical Demonstrative No. 1. <i>See</i> Docket No. 527-1. Plaintiffs withdrew Physical Demonstrative No. 2. <i>Id.</i> The Court overruled Plaintiffs' objections to GM's demonstratives for opening. <i>See</i> Docket Nos. 520, 526. The Court then turned to GM's evidentiary objections for the evidence slated for September 19, 2022. <i>See</i> Docket No. 518. Plaintiffs informed the Court that they had withdrawn all exhibits for which Dr. Dahm had been identified as the sponsoring witness. <i>Id.</i> at 1–8. Plaintiffs informed the Court that they intended to use Dahm Demonstratives 6, 7, 8, 11, 12, and 13. The Court overruled GM's objections to Dahm Demonstratives Nos. 6, 7, and 8, provided that Dr. Dahm's testimony complies with the Court's <i>Daubert</i> ruling. <i>See</i> Docket No. 395. The Court heard oral argument on GM's hearsay objections to Trial Exhibits 150 and 187. The Court overruled GM's objections but indicated that it would provide a limiting instruction upon GM's request. The Court ordered GM to disclose the exhibits that it planned to use during the cross-examination of Dr. Dahm. The Court further ordered the parties to disclose exhibits that they intend to use on cross-examination one day before the witness's anticipated testimony. The Court further ordered that video deposition designations be played sequentially, with the time charged to each party based on the party's designation or counter-designation. The Court indicated that it would take up GM's objections to Mr. De Valle's testimony at the end of the day. The Court allowed GM to state that there are "thousands" of class members during its opening statement. The Court indicated that it would take up Plaintiffs' motion to strike during a break. <i>See</i> Docket No. 512. The Court overruled GM's objections related to the Court striking GM's proposed instruction regarding no inferences from class action. <i>See</i> Docket No. 514.</p>

		8:40 a.m.			Court in recess.
		8:55 a.m.			Court reconvened. Court advised the parties that Editha Asuncion (juror no. 33) did not appear for jury service today. Court excused juror no. 33, no objections from parties.
		9:00 a.m.			Jury present. Court welcomes and instructs the jury.
		9:26 a.m.			Christopher Stombaugh, counsel for Plaintiffs, presents opening statement.
		10:08 a.m.			Christopher Stombaugh concludes opening statement.
		10:09 a.m.			Richard Godfrey, counsel for Defendant, presents opening statement.
		10:43 a.m.			Richard Godfrey concludes opening statement.
		10:44 a.m.			Jury admonished and excused for break.
		10:45 a.m.			Court in recess.
		10:55 a.m.			Court reconvened. Housekeeping matters discussed outside the presence of the jury. The Court heard argument on Plaintiffs' motion to strike. Docket No. 512. For the reasons stated on the record, the Court ruled that Trial Exhibit 554 could be used during GM's cross-examination of Dr. Dahm but the exhibit would not be admitted or displayed to the jury.
		11:15 a.m.			Jury present.
		11:16 a.m.			Witness, Dr. Werner Dahm , approaches the witness stand and sworn for testimony. Direct examination of witness by Clay Barnett.
		12:32 p.m.			Jury excused for break.
		12:33 p.m.			Court in recess.
		12:56 p.m.			Court reconvened. Witness back on the stand.
		1:00 p.m.			Jury present.
		1:01 p.m.			Direct examination of witness by Clay Barnett resumes.
		1:03 p.m.			Cross-examination of witness by Renee Smith.
		1:34 p.m.			Jury admonished and excused for the day.
		1:35 p.m.			Witness excused for the day.
		1:36 p.m.			Housekeeping matters discussed outside the presence of the jury. Court ordered plaintiffs to review the exhibits they plan to use with upcoming witnesses to eliminate exhibits not being used. Court also ordered parties to meet and confer regarding objections to deposition designations. Parties are to notify the Court by 4:00 p.m. today regarding exhibits and designations. The Court heard argument on GM's objections to Mr. Del Valle's testimony and the late-produced records related to repairs for Mr. Del Valle's vehicle. <i>See</i> Docket Nos. 528 and 529. The Court ruled that Plaintiffs shall not elicit any testimony from Mr. Del Valle regarding specific repairs or specific experiences with his vehicle that occurred after his deposition. The Court further ruled that Mr. Del Valle may testify that he believes that the problems with his vehicle were caused by excessive oil consumption provided that there is a foundation laid for this testimony. The Court instructed the parties that it would take up Plaintiffs' motion to strike exhibits tomorrow morning.